

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 5-6, 13, 15-17, and 20-24 are pending in the application, with claims 1, 13, and 20 being the independent claims. Claims 7-9 and 12 are allowed. Claims 2, 10, 11, and 14 were previously cancelled without prejudice to or disclaimer of the subject matter recited therein. Claims 3-4, 18-19, and 25-26 are sought to be cancelled without prejudice to or disclaimer of the subject matter recited therein. Claims 1, 13, and 20 are amended herein. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

The Examiner rejected claims 1, 3-5, 13, 15, 18-19, 20, 22, and 25-26 under 35 U.S.C. 103(a) as being unpatentable over Hongu et al. (Hongu) U.S. Patent 4,132,952 in view of Gordy U.S. Patent 4,346,477.

Claims 3, 4, 18, 19, 25 and 26 have been cancelled without prejudice to or disclaimer of the subject matter recited therein. The rejection of claims 3, 4, 18, 19, 25 and 26 are thus rendered moot. Applicants respectfully traverse the rejection of claims 1, 5, 13, 15, 20 and 22.

Independent claim 1, as amended, recites, among other features:

"aliasing said channel/band combination according to an aliasing signal, said aliasing signal having an aliasing frequency, said aliasing frequency being a function of a clock signal, thereby generating a down-converted baseband signal including said channel/band combination."

Neither Hongu nor Gordy teach or suggest, among other features, down-conversion by aliasing of the channel/band combination to generate "a down-converted baseband signal including the channel/band combination". In fact, both Hongu and Gordy teach heterodyne receivers whereby the received signal is down-converted to an intermediate frequency signal before another down-conversion step to a baseband signal (Hongu, Abstract - Gordy, FIG.1, sampler 20, sampler 30).

For at least this reason, independent claim 1, as amended, is patentable over Hongu and Gordy. Reconsideration and withdrawal of the rejection of claim 1 is respectfully requested.

Independent claims 13 and 20, as amended, recite similar features regarding down-conversion by aliasing to baseband as recited in amended claim 1. For at least the reasons provided above with respect to claim 1, claims 13 and 20 are patentable over Hongu and Gordy. Reconsideration and withdrawal of the rejections of claims 13 and 20 is respectfully requested.

Claims 5, 15, and 22 each depends directly or indirectly from one of claims 1, 13, or 20. For at least the reasons provided above with respect to claims 1, 13, and 20, claims 5, 15, and 22 are patentable over Hongu and Gordy. Reconsideration and withdrawal of the rejections of claims 5, 15, and 22 is respectfully requested.

The Examiner rejected claims 21 and 23 under 35 U.S.C. 103(a) as being unpatentable over Hongu in view of Gordy, and further in view of Lam et al. (Lam) U.S. Patent 5,937,013.

Claims 21 and 23 depend from claim 20. Lam does not overcome the deficiencies of Hongu and Gordy as discussed above with respect to claim 20. For at least this reason, claims 21 and 23 are patentable over Hongu, Gordy, and Lam. Reconsideration and withdrawal of the rejection of claims 21 and 23 is respectfully requested.

The Examiner rejected claim 6 under 35 U.S.C. 103(a) as being unpatentable over Hongu in view of Gordy, and further in view of Smith et al. (Smith) U.S. Patent 5,790,587.

Claim 6 depends from claim 1. Smith does not overcome the deficiencies of Hongu and Gordy as discussed above with respect to claim 1. For at least this reason, claim 6 is patentable over Hongu, Gordy, and Smith. Reconsideration and withdrawal of the rejection of claim 6 is respectfully requested.

Objections to the Claims

The Examiner objected to claims 16-17 and 24 as being dependent upon a rejected base claim, but stated that they would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims.

Independent claims 13 and 20, from which claims 16-17 and 24 depend respectively, are amended herein to overcome their current rejections. Accordingly,

Applicants respectfully request that the Examiner reconsider and withdraw the objections to claims 16-17, and 24.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Patrick E. Garrett", is written over the printed name.

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